

COMMISSIONERS JOURNAL NO. 59 - DELAWARE COUNTY  
MINUTES FROM REGULAR MEETING HELD JULY 29, 2013

THE BOARD OF COMMISSIONERS OF DELAWARE COUNTY MET IN REGULAR SESSION ON THIS DATE WITH THE FOLLOWING MEMBERS PRESENT:

Present:  
Ken O'Brien, President  
Dennis Stapleton, Vice President  
Gary Merrell, Commissioner

**NOTE: RESOLUTION NUMBERS 13-764 THRU 13-772 (ORIGINALLY UTILIZED ON JULY 25, 2013) WERE INADVERTENTLY UTILIZED A SECOND TIME ON JULY 29, 2013. JULY 29, 2013 RESOLUTIONS NOW REFERENCED WITH THE ADDITION OF AN "A"**

**RESOLUTION NO. 13-764A**

**IN THE MATTER OF APPROVING THE ELECTRONIC RECORD OF THE PROCEEDINGS FROM REGULAR MEETING HELD JULY 25, 2013:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

WHEREAS, the Board of Commissioners of Delaware County, Ohio (the "Board") met in regular session on July 25, 2013; and

WHEREAS, the Clerk of the Board has certified, pursuant to section 305.11 of the Ohio Revised Code, that the entire record of the proceedings at that meeting is completely and accurately captured in the electronic record of those proceedings;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the electronic record of proceedings at the previous meeting.

Vote on Motion Mr. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

**PUBLIC COMMENT**

**ELECTED OFFICIAL COMMENT**

**RESOLUTION NO. 13-765A**

**IN THE MATTER OF APPROVING PURCHASE ORDERS, THEN AND NOW CERTIFICATES, AND PAYMENT OF WARRANTS IN BATCH NUMBERS CMAPR0726, MEMO TRANSFERS IN BATCH NUMBERS MTAPR0726:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve Then And Now Certificates, payment of warrants in batch numbers CMAPR0726, memo transfers in batch numbers MTAPR0726 and Purchase Orders as listed below:

<u>Vendor</u>	<u>Description</u>	<u>Account</u>	<u>Amount</u>
<b>PO' Increase</b>			
Village Network	Residential Treatment	22511607-5350	\$ 5,200.00
Facilities	Job and Family Services	22411605-5331	\$ 10,000.00

Vote on Motion Mr. Stapleton Aye Mr. Merrell Aye Mr. O'Brien Nay

**RESOLUTION NO. 13-766A**

**IN THE MATTER OF APPROVING TRAVEL EXPENSE REQUESTS:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

The Child Support Enforcement Agency is requesting that Wendy Shannon, Matthew Smith, Sandra Disantis and Sherry Fleury attend an OCDA training for attorneys/hearing officers in Lancaster, OH on August 22, 2013 at the cost of \$75.00 (fund number 23711630).

Environmental Services is requesting that Joseph Amato, Ross Bigelow, John Hickman and Ric Irvine attend the Authority Having Jurisdiction Seminar (Fire Protection & Fire Suppression) in Reynoldsburg, Ohio on August 8, 2013 at no cost.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-767A**

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**IN THE MATTER OF APPROVING A DITCH MAINTENANCE PETITION AND THE DITCH MAINTENANCE ASSESSMENTS FOR LOCH LOMOND HILLS:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

WHEREAS, on July 29, 2013, a Ditch Maintenance Petition for Loch Lomond Hills was filed with the Board of Commissioners of Delaware County (the "Board"), and

WHEREAS the Petition sets forth the drainage improvements that have been or will be constructed within Loch Lomond Hills located off of State Route 315 in Liberty Township; and

WHEREAS, the Petitioners have requested that the drainage improvements be accepted into the Delaware County Drainage Maintenance Program and that an annual maintenance assessment be collected with the Real Estate Taxes for the improvements in the subject lot to cover the cost of current and future maintenance of the improvements; and

WHEREAS, the Petitioners represent 100% of the property owners to be assessed for maintenance related to this drainage improvement and have waived their rights to a public viewing and hearing; and

WHEREAS, based on a review of the Petition and all accompanying documents, the Board has determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Delaware County, Ohio:

Section 1. The Board hereby grants the Petition, the Board having found and determined that the improvements satisfy all statutory criteria pursuant to Chapters 6131 and 6137 of the Revised Code and all criteria for acceptance into the Delaware County Drainage Maintenance Program.

Section 2. The Board hereby approves the maintenance assessments, in accordance with the Petition, as follows:

The cost of the drainage improvements is \$144,612.40. The drainage improvements are being constructed for the benefit of the condominium units being created in this development. The developed condominium area of 39 units will receive benefits (cost) of the project on a per acre basis. The basis for calculating the assessment for each lot is therefore \$3,708.01 per unit. An annual maintenance fee equal to 2% of this basis (\$74.16) will be collected for each developed condominium unit. We (I) understand that the basis for calculating the maintenance assessment will be reviewed and possibly revised every 6 years. The first year's assessment for all of the lots in the amount of \$2,892.25 has been paid to Delaware County.

Section 3: This Board finds and determines that all formal actions taken by this Board concerning and relating to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in said formal actions were in meetings open to the public, in compliance with the laws of the State of Ohio.

Vote on Motion Mr. Merrell Aye Mr. O'Brien Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-768A**

**IN THE MATTER OF APPROVING RIGHT-OF-WAY WORK PERMIT SUMMARY SHEET:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following work permits:

Whereas the below requests to perform work within the right-of-way have been reviewed and approved by the Delaware County Engineer;

Now Therefore Be It Resolved that the following permits are hereby approved by The Board of Delaware County Commissioners:

Permit #	Applicant	Location	Type of Work
U13-043	Centurylink	Green Cook Road	Bury fiber optic cable

Vote on Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Merrell Aye

**RESOLUTION NO. 13-769A**

**IN THE MATTER OF AWARDED A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND R&I CONSTRUCTION, INC. FOR THE PROJECT KNOWN AS DEL-CR29-5.94 ROSS ROAD BRIDGES:**

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It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

**DEL-CR29-5.94 ROSS ROAD BRIDGES  
Bid Opening of June 4, 2013**

Whereas, as the result of the above referenced bid opening, The Engineer recommends that a bid award be made to R&I Construction, Inc., the low bidder for the project. A copy of the bid tabulation is available for your information; and

Whereas, also available are two copies of the Contract with R&I Construction for your approval. All necessary documentation for this approval has been received (Certification/Affidavit in Compliance with O.R.C. Section 3517.13, etc.), and

Whereas, the County Engineer recommends approval of the Contract between the Delaware County Commissioners and R&I Construction, Inc. for the project known as DEL-CR29-5.94 Ross Road Bridges:

**CONTRACT**

THIS AGREEMENT is made this 29<sup>th</sup> day of July, 2013 by and between **R&I Construction, Inc., 2931 S. State Route 67, Tiffin, Ohio 44883**, hereinafter called the "Contractor" and the Delaware County Commissioners, hereinafter called the "Owner".

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

**ARTICLE 1. Statement of Work**

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project named "**DEL-CR29-5.49, Ross Road Bridges**, and required supplemental work for the project all in strict accordance with the Contract Documents.

**ARTICLE 2. The Contract Price**

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed **One Million Three Hundred Fifty-One Thousand Seven Hundred Seventy-Seven Dollars and Ninety-Eight Cents (\$1,351,777.98)**, subject to additions and deductions as provided in the Contract Documents.

**ARTICLE 3. Contract**

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-770A**

**IN THE MATTER OF AWARDED THE BID AND APPROVING THE CONTRACT BETWEEN THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND B&K LEHNER EXCAVATING FOR THE PROJECT KNOWN AS ROOF #397 DRAINAGE IMPROVEMENT PROJECT:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

**Roof #397 Drainage Improvement Project  
Bid Opening of July 15, 2013**

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As the result of the above referenced bid opening, The Engineer recommends that a bid award be made to B&K Lehner Excavating, the low bidder for the project per the Bid Tabulation.

**CONTRACT**

THIS AGREEMENT is made this 29<sup>th</sup> day of July, 2013 by and between B&K Lehner Excavating LLC, 2356 Troy Road, Delaware, Ohio 43015, hereinafter called the "Contractor" and the Delaware County Board of Commissioners, hereinafter called the "Owner".

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

**ARTICLE 1. Statement of Work**

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project named "Roof #397 Drainage Improvement Project" and required supplemental work for the project all in strict accordance with the Contract Documents.

**ARTICLE 2. The Contract Price**

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed Seventy-One Thousand Seven Hundred Six Dollars and Twenty-Five Cents (\$71,706.25), subject to additions and deductions as provided in the Contract Documents.

**ARTICLE 3. Contract**

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in three original copies on the day and year first above written.

Vote on Motion   Mr. Merrell      Aye      Mr. Stapleton      Aye      Mr. O'Brien      Aye

**RESOLUTION NO. 13-771A**

**IN THE MATTER OF AWARDED A BID AND APPROVING A CONTRACT BETWEEN THE DELAWARE COUNTY COMMISSIONERS AND J&J SCHLAEGEL, INC. FOR THE PROJECT KNOWN AS DEL-TR245-1.13 PIPER ROAD OVER TURKEY RUN BRIDGE REPLACEMENT PROJECT:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

**DEL-TR245-1.13 PIPER ROAD OVER TURKEY RUN BRIDGE REPLACEMENT PROJECT  
Bid Opening of July 16, 2013**

Whereas, as the result of the above referenced bid opening, The Engineer recommends that a bid award be made to J&J Schlaegel, Inc., the low bidder for the project. A copy of the bid tabulation is available for your information; and

Whereas, also available are two copies of the Contract with J&J Schlaegel for your approval. All necessary documentation for this approval has been received (Certification/Affidavit in Compliance with O.R.C. Section 3517.13, etc.), and

Whereas, the County Engineer recommends approval of the Contract between the Delaware County

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Commissioners and J&J Schlaegel, Inc. for the project known as DEL-TR245-1.13 Piper Road over Turkey Run Bridge Replacement Project:

**CONTRACT**

THIS AGREEMENT is made this 29<sup>th</sup> day of July, 2013 by and between **J&J Schlaegel, Inc., 518 Miami Street, Urbana, Ohio 43078**, hereinafter called the "Contractor" and the Delaware County Commissioners, hereinafter called the "Owner".

The Contractor and the Owner for the considerations stated herein mutually agree as follows:

**ARTICLE 1. Statement of Work**

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment, and services, including utility and transportation services, and perform and complete all work required for the construction of the improvements embraced in the project named **"DEL-TR245-1.13 Piper Road over Turkey Run Bridge Replacement Project"** and required supplemental work for the project all in strict accordance with the Contract Documents.

**ARTICLE 2. The Contract Price**

The Owner will pay the Contractor for the total quantities of work performed at the unit prices stipulated in the Bid for the respective items of work completed for the sum not to exceed **Three Hundred Sixty-Six Thousand Six Hundred Seventy-Four Dollars and Twenty-One Cents (\$366,674.21)**, subject to additions and deductions as provided in the Contract Documents.

**ARTICLE 3. Contract**

The executed Contract Documents shall consist of the following:

- a. This Agreement
- b. Addenda
- c. Invitation to Bid
- d. Instructions to Bidders
- e. Signed copy of bid
- f. Work Specifications (including all plans, drawings, etc.)
- g. Specifications – General Provisions
- h. Federal and State Requirements

This Agreement, together with other documents enumerated in this ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

Vote on Motion Mr. Stapleton Aye Mr. Merrell Aye Mr. O'Brien Aye

**RESOLUTION NO. 13-772A**

**IN THE MATTER OF APPROVING PLANS, SPECIFICATIONS, ESTIMATES AND SETTING THE BID DATES FOR THE PROJECTS KNOWN AS DEL-CR221-0.12 (LEONARDSBURG ROAD OVER HORSESHOE RUN) AND DEL-CR182-0.53 (TAWAY ROAD OVER OTTAWA CREEK):**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

Whereas, Section 5555.022 of the Revised Code provides that a Board of County Commissioners may find by a majority vote that the public convenience and welfare require the improving of any part of any public road, may fix the route and termini of the Improvement and may authorize such Improvement; and,

Whereas, the County Engineer has determined that the bridges on County Road 221 (Leonardsburg Road) over Horseshoe Run and County Road 182 (Taway Road) over Ottawa Creek require rehabilitation; and,

Whereas, Section 5543.22 of the Revised Code provides that a County Engineer may combine the design and construction elements of a bridge, highway, or safety project into a single contract; and,

Whereas, the County Engineer recommends that the Board proceed with rehabilitation of said bridges as a single design-build Improvement; and,

Whereas the County Engineer has prepared plans, specifications, a design-build scope of services and estimates for the Improvement, and;

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Whereas the County Engineer has estimated the construction cost of the Improvement to be \$495,000;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

Section 1: The public convenience and welfare require rehabilitation of the bridges on County Road 221 (Leonardsburg Road) over Horseshoe Run and County Road 182 (Taway Road) over Ottawa Creek and the Improvement known as DEL-2013 Design Build Bridge Rehabilitations be initiated for such purposes; and,

Section 2: The plans, specifications, design-build scope of services and estimates for said Improvement are hereby approved, and;

Section 3: The County Engineer is authorized to advertise for and received bids on behalf of the Board in accordance with the following Invitation to Bid:

**Public Notice  
Advertisement for Bids**

Sealed bids will be received at the Office of the Delaware County Engineer, 50 Channing Street, Delaware, Ohio 43015, until 10:00 am on Tuesday, August 27, 2013, at which time they will be publicly opened and read aloud, for the project known as:

DEL-2013 Design Build Bridge Rehabilitations  
DEL-CR221-0.12 & DEL-CR182-0.53

The proposals must be made on the forms provided in the Contract Documents or a copy thereof and shall contain the full name and address of the bidder. All bids shall be sealed and plainly marked "SEALED BID FOR DEL-2013 Design Build Bridge Rehabilitations". Bid shall be accompanied by a Bid Security in the form of a bid bond in the amount of one hundred percent (100%) of the bid or a certified check in the amount of ten percent (10%) of the bid. In addition to the Bid Security, a one (1) year Maintenance/Performance Bond is required for this project in the amount of one hundred percent (100%) of the total project cost and shall be submitted upon award of contract.

This Public Notice is also posted on the Delaware County website at [www.co.delaware.oh.us](http://www.co.delaware.oh.us), under "Current Bids."

The Owner of the project is the Delaware County Board of Commissioners. Copies of the plans and specifications must be obtained from the Delaware County Engineer, 50 Channing Street, Delaware, OH 43015. Cost for printed copies of each set of plans and specifications is \$20, and the cost is non-refundable. Plans and specifications may also be downloaded, free of charge, from the Delaware County Engineer's website at [www.co.delaware.oh.us/ebids](http://www.co.delaware.oh.us/ebids). All bidders must register as a plan holder with the Delaware County Engineer through the County Engineer's ebids website or in person at the time of purchasing plans and specifications.

The Owner requires that all work associated with the project be completed before February 15, 2014. The estimated commencement of work date is September 16, 2013.

This is a prevailing wage contract in accordance with Ohio Revised Code Chapter 4111 and the requirements of the Ohio Department of Commerce, Division of Labor and Worker Safety, Wage and Hour Bureau. Bidders shall comply with all applicable provisions.

No bids shall be withdrawn for a period of sixty (60) days after the opening thereof. Awarding of the contract shall be to the Lowest and Best bidder as determined by the Delaware County Board of Commissioners in the best interest of Delaware County. The Board reserves the right to reject any or all bids.

Delaware Gazette Advertisement Dates: August 2, 2013

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-773**

**IN THE MATTER OF APPROVING THE ASSIGNMENT OF CONTRACT FOR DEL-CR9 & TR127 LIBERTY ROAD AND JEWETT ROAD INTERSECTION APPROVED UNDER RESOLUTION NO. 12-1107 TO GLAUS, PYLE, SCHOMER, BURNS AND DEHAVEN INC. (GPD GROUP)**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

**Section 1 - Parties**

Whereas, on October 29, 2012, the Delaware County Board of Commissioners, Delaware County, Ohio, 101 North Sandusky Street, Delaware, Ohio 43015 ("County"), and the firm of W.E. Stilson Consulting Group, LLC ("Consultant"), entered into a professional services contract for the project known as DEL-CR9 & TR127, Liberty

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Road and Jewett Road Intersection (the "Agreement"). During the course of the Agreement, W.E. Stilson Consulting Group, LLC, was acquired by the firm of Glaus, Pyle, Schomer, Burns and DeHaven Inc. (GPD Group), 1801 Watermark Dr., Suite 150, Columbus, Ohio 43215 ("Assignee"). The County and Assignee mutually desire to acknowledge and memorialize the assignment of the Agreement.

**Section 2 – Assignment**

Whereas, the County and the Assignee hereby mutually acknowledge and agree that the Agreement is hereby assigned by the Consultant to the Assignee. Assignee shall assume all rights and responsibilities of the Agreement from the date of Assignee’s acquisition of Consultant.

**Section 3 – Terms and Conditions**

Whereas, the County and the Assignee agree that all the terms and conditions of the Agreement shall remain in full force and effect unless specifically modified pursuant to the mutual written agreement of County and Assignee.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners to approve the assignment of the Contract DEL-CR9 & TR127 Liberty Road and Jewett Road Intersection to Assignee.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-774**

**IN THE MATTER OF AUTHORIZING THE SUBMISSION OF A MINI GRANT APPLICATION TO THE COUNCIL FOR OLDER ADULTS OF DELAWARE COUNTY FOR THE DELAWARE COUNTY JUVENILE COURT:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

Grant: COA 2014 Mini Grant  
Source: Council for Older Adults  
Grant Period 1-1-14 thru 12-31-14

Grant Amount: \$4,600.00  
Local Match: 0  
Total \$4600.00

Proceed from the grant will go towards funding the Suspension Alternative Program Supervisor.

Vote on Motion Mr. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

**A PROPOSED RESOLUTION, APPROVING A RECOMMENDATION BY THE DELAWARE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC) TO APPROVE THE APPOINTMENT OF REPRESENTATIVES, WAS MOVED BY MR. MERRELL, BUT DIED FOR LACK OF A SECOND.**

**A PROPOSED RESOLUTION, NOMINATING MEMBERS FOR THE INITIAL DELAWARE COUNTY DANGEROUS WILD ANIMAL RESPONSE TEAM TO THE STATE EMERGENCY RESPONSE COMMISSION, WAS MOVED BY MR. MERRELL, BUT DIED FOR LACK OF A SECOND.**

**RESOLUTION NO. 13-775 AND RESOLUTION NO. 13-776 WERE NOT UTILIZED**

**RESOLUTION NO. 13-777**

**IN THE MATTER OF APPROVING TRANSFER OF APPROPRIATIONS FOR JOBS AND FAMILY SERVICES:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

**Transfer of Appropriations**

<b>From</b>	<b>To</b>	
22411603-5001 JFS Workforce/Compensation	22411604-5330 JFS Child Protection/Communication Services	3,000.00
22411603-5001 JFS Workforce/Compensation	22411605-5250 JFS Administration/Minor Tools and Equipment	5,000.00
22411603-5001 JFS Workforce/Compensation	22411605-5450 JFS Administration/Capital Equipment	22,000.00
22411603-5001	22411605-5320	5,000.00



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JFS Workforce/Compensation	JFS Administration/Data Processing Services	
22411603-5120	22411605-5320	35,000.00
JFS Workforce/County Share OPERS	JFS Administration/Data Processing Services	
22511607-5348	22511607-5250	12,000.00
Children Services/Client Services	Children Services/Minor Tools and Equipment	
Vote on Motion	Mr. Merrell      Aye      Mr. O'Brien      Aye      Mr. Stapleton      Aye	

**RESOLUTION NO. 13-778**

**IN THE MATTER OF AUTHORIZING THE USE OF DELAWARE COUNTY CHILD SUPPORT ENFORCEMENT AGENCY TO ASSIST IN FUNDING THE PURCHASE OF COFFEE, MEALS, REFRESHMENTS, AND OTHER AMENITIES FOR AN OPEN HOUSE IN RECOGNITION OF CHILD SUPPORT AWARENESS MONTH :**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

WHEREAS, The Ohio Attorney General Opinion No. 82-006 addresses the issue Expenditure Of Public Funds For Proper "Public Purpose", and

WHEREAS, The October 20, 2003, State Auditor's ruling on payment of Expenditures Of Public Funds For Proper "Public Purpose" states that for persons who are employees or non-employees of the County, the Commissioners must pre-approve expenditures for the purchase of coffee, meals, refreshments and other amenities.

WHEREAS, the Delaware County Child Support Enforcement Agency has requested to have an Open House in recognition of Child Support Awareness Month and ask that the County to approve CSEA funds to be used to provide refreshments; and

WHEREAS, the Director of the Child Support Enforcement Agency and the County Administrator recommend the request;

NOW THEREFORE, PURSUANT TO THE FOREGOING, BE IT HEREBY RESOLVED, by the Board of Commissioners, County of Delaware, State of Ohio as follows:

Section 1. That the Delaware County Board of Commissioners hereby authorizes the use of Child Support Enforcement Funds in an amount not to exceed \$100.00, to assist in funding the purchase of coffee, meals, refreshments and other amenities For The Child Support Open House.

Vote on Motion              Mr. Stapleton      Aye      Mr. O'Brien      Aye      Mr. Merrell      Aye

**RESOLUTION NO. 13-779**

**IN THE MATTER OF APPROVING THE SANITARY SEWER CONSTRUCTION PLANS FOR NELSON FARMS, SECTION 2, PHASE:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following sanitary sewer construction plans for Nelson Farms, Section 2, Phase A for submittal to the Ohio EPA for their approval.

Whereas, the Director of Environmental Services recommends sanitary sewer plans for Nelson Farms, Section 2, Phase A submittal to the Ohio EPA for their approval.

Therefore be it resolved, that the Board of Commissioners approves sanitary sewer plans for Nelson Farms, Section 2, Phase A for submittal to the Ohio EPA for their approval.

Vote on Motion              Mr. O'Brien      Aye      Mr. Merrell      Aye      Mr. Stapleton      Aye

**RESOLUTION NO. 13-780**

**IN THE MATTER OF AWARING THE BID FOR THE DISPOSAL OF WASTEWATER PLANT BIOSOLIDS:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

Whereas, sealed bids for the DISPOSAL OF WASTEWATER PLANT BIOSOLIDS were received by the County of Delaware, Ohio at the Office of the Board of County Commissioners at 1:00 o'clock PM local time July 11, 2013; and



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Whereas, three (3) bids were received. The lowest bid received was from Santek Environmental of Ohio, LLC for disposal at the Crawford County Landfill.

THEREFORE BE IT RESOLVED that the DISPOSAL OF WASTEWATER PLANT BIOSOLIDS be awarded to Santek Environmental of Ohio, LLC. The Sanitary Engineer shall prepare the necessary NOTICE OF AWARD and CONTRACT documents and submit them to the contractor for execution.

Vote on Motion Mr. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

**RESOLUTION NO. 13-781**

**IN THE MATTER OF CERTIFICATION OF DELINQUENT ACCOUNTS TO THE COUNTY AUDITOR FOR ACCOUNTS TO BE ASSESSED TO PAYABLE YEAR 2014 TAXES:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to certify to the County Auditor the delinquent accounts for placement on the tax duplicate.

Whereas, the County owns and operates a Sewer District as authorized by Ohio Revised Code (ORC) 6117, and

Whereas, ORC 6117.02 authorizes the County to set rates and charges for the sanitary services provided by the Sewer District, and

Whereas, when any of the sanitary rates or charges are not paid when due, the board may certify the unpaid rates or charges, together with any penalties, to the County Auditor, who shall place them upon the real property tax list and duplicate against the property served by the connection, and

Whereas, staff has determined that there are unpaid rates and charges that need to be collected, and

Whereas, staff recommends collection of the unpaid rates and charges by certifying these delinquent accounts to the County Auditor.

Therefore be it resolved that the Board of County Commissioners certify the delinquent accounts in the amount of \$103,167.97 to the County Auditor for 2014 real property tax list and duplicate.

(Itemized listing of delinquent accounts available for review at the Commissioners' Office until no longer of administrative value).

**2014 Sewer Tax Assessments  
To be certified by the Board of Commissioners on 7/29/13**

**Breakdown of Assessments by Treatment Plant:**

66211903 – OECC	\$37,084.50
66211904 – Alum Creek	\$59,055.43
66211906 – Tartan Fields	\$630.63
66211907 – Scioto Reserve	\$5,899.96
66211908 – Bent Tree	\$0.00
66211909 – Hoover Woods	\$132.30
66211910 – Scioto Hills	\$365.15
66211911 - Northstar	\$0.00
<b>Total Assessments</b>	<b>\$103,167.97</b>

Vote on Motion Mr. Stapleton Aye Mr. Merrell Aye Mr. O'Brien Aye

**RESOLUTION NO. 13-782**

**IN THE MATTER OF APPROVING CHANGE ORDER NO.1 FOR THE QUAIL MEADOWS FORCE MAIN REPLACEMENT PROJECT:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

Whereas, Delaware County is currently under contract with M Zimmerman for the Quail Meadows Force Main Replacement project, and

Whereas, the Quail Meadows Force Main Replacement project did not include changes in the valve vault to connect the new force main to the pump station because that work was planned for a second phase with other improvements at the pump station, and

Whereas, the second phase has been postponed and we would like the current contractor to connect the new force main to the pumps, and

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Whereas, the cost to make the connection is \$2,350.00, and

Whereas, the Sanitary Engineer recommends approval of Change Order No. 1.

THEREFORE BE IT RESOLVED by the Delaware County Board of Commissioners to approve Change Order No. 1 for the Quail Meadows Force Main Replacement project.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-783**

**IN THE MATTER OF APPROVING A CHARITABLE AGENCY COMMITTEE FOR THE CHARITABLE AGENCIES SUPPORT POLICY:**

It was moved by Mr. Stapleton, seconded by Mr. Merrell to approve the following:

Whereas, Resolution No. 13-424 approved A Charitable Agencies Support Policy for Delaware County; and

Whereas, section 5.1 of the Application Process states the following:

5.1 Delaware County will create a Charitable Agency Committee (hereinafter known as the "Committee"). The Committee will consist of five (5) members appointed by the Delaware County Board of Commissioners, with no more than one member from any one office or department within the county. One of the five members will be appointed as the chair. The Committee shall review all applications and make a recommendation to the Delaware County Board of Commissioners, which shall have final approval. The Committee members will serve on a two-year basis with no additional compensation for serving on the Committee. Members wishing to serve on the Committee that report to elected officials/boards other than the Board of Commissioners must first get approval from their respective elected official/board before announcing their intent to serve. The Committee will meet on an as-needed basis for the consideration of those Charitable Agencies applying for approval; and

Whereas, the following is a list of the proposed Charitable Giving Agency Review Committee with terms from August 1, 2013 through December 31, 2015:

- Clerk of Courts Jan Antonoplos
- Brian Galligher, approved by Tim Hansley
- Teri Morgan, (to serve as Chair), approved by Tim Hansley
- Si Kille, approved by Tim Hansley
- Jenny Downey, approved by Dawn Huston

Therefore Be It Resolved, that the Board of Commissioners approve the above Charitable Giving Agency Review Committee with terms from August 1, 2013 through December 31, 2015.

Vote on Motion Mr. Merrell Aye Mr. O'Brien Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-784**

**IN THE MATTER OF ESTABLISHING DOG REGISTRATION AND KENNEL FEES FOR DELAWARE COUNTY:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to approve the following:

WHEREAS, on March 31, 2003, the Delaware County Board of Commissioners (the "Board") adopted Resolution No. 03-423, increasing the dog license fee to Ten Dollars (\$10.00) for each individual dog license; and

WHEREAS, the Board desires an increase in the current dog license and kennel fees to offset the costs of the Delaware County Dog Shelter providing services that are required under Chapter 955 of the Ohio Revised Code; and

WHEREAS, sections 955.04 and 955.14 of the Revised Code requires owners of dog kennels to make application for the registration of such kennel, and pay to the county auditor a registration fee; and

WHEREAS, sections 955.01 and 955.14 of the Revised Code, as recently amended by 2013 HB59, effective on December 1, 2013, will permit dog owners to obtain three-year or permanent dog registrations; and

WHEREAS, a three-year dog registration shall be charged a fee equal to three times the annual dog registration fee; and

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WHEREAS, a permanent dog registration shall be charged a fee equal to ten times the annual dog registration fee;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Delaware County, State of Ohio:

Section 1. The Board, having estimated that the fees established in this Resolution are needed to pay all expenses for the administration of Chapter 955 of the Revised Code and to pay claims allowed for animals injured or destroyed by dogs, hereby establishes the following dog registration and kennel fees for Delaware County:

<b>Registration Period</b>	<b>Fee</b>
One year registration	\$12.00
Three year registration	\$36.00
Permanent registration	\$120.00
Kennel Fee	\$60.00

Section 2. The dog registration and kennel fees established herein shall be effective on December 1, 2013.

Vote on Motion Mr. Stapleton Aye Mr. O'Brien Aye Mr. Merrell Aye

**COMMISSIONERS' COMMITTEES REPORTS**

**Commissioner Merrell**  
-Attend Sheriff's Event

**Commissioner Stapleton**  
-Letter From Delaware County Fair Request The Yearly Fee Waiver For Trash During Fair Week

**Commissioner O'Brien**  
-Attended The Regional Planning Meeting

**RESOLUTION NO. 13-785**

**IN THE MATTER OF ADJOURNING INTO EXECUTIVE SESSION FOR EMPLOYMENT OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL AND FOR PENDING OR IMMINENT LITIGATION:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to adjourn into Executive Session at 9:53AM.

Vote on Motion Mr. O'Brien Aye Mr. Merrell Aye Mr. Stapleton Aye

**RESOLUTION NO. 13-786**

**IN THE MATTER OF ADJOURNING OUT OF EXECUTIVE SESSION:**

It was moved by Mr. Merrell, seconded by Mr. Stapleton to adjourn out of Executive Session at 11:22AM.

Vote on Motion Mr. Merrell Aye Mr. Stapleton Aye Mr. O'Brien Aye

There being no further business, the meeting adjourned.

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Gary Merrell

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Ken O'Brien

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Dennis Stapleton

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Jennifer Walraven, Clerk to the Commissioners